

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re: Kirk-Hughes Development, LLC

Case No. 09-15153

**CHAPTER 11**  
**MONTHLY OPERATING REPORT**  
**(GENERAL BUSINESS CASE)**

**SUMMARY OF FINANCIAL STATUS**

MONTH ENDED: Oct-09

PETITION DATE: 04/06/09

1. Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor).  
 Dollars reported in \$1

2. **Asset and Liability Structure**

- a. Current Assets
- b. Total Assets
- c. Current Liabilities
- d. Total Liabilities

End of Current Month	End of Prior Month	As of Petition Filing
\$52,444	\$9,997,201	\$9,997,201
\$10,045,790	\$9,997,201	\$9,997,201
\$1,500	\$0	\$0
\$7,041,598	\$0	\$0

3. **Statement of Cash Receipts & Disbursements for Month**

- a. Total Receipts
- b. Total Disbursements
- c. Excess (Deficiency) of Receipts Over Disbursements (a - b)
- d. Cash Balance Beginning of Month
- e. Cash Balance End of Month (c + d)

Current Month	Prior Month	Cumulative (Case to Date)
\$4,960	\$0	\$25,949
\$4,552	\$0	\$0
\$408	\$0	\$25,949
\$5,493	\$0	\$0
\$4,936	\$0	\$25,949

4. **Profit/(Loss) from the Statement of Operations**5. **Account Receivables (Pre and Post Petition)**6. **Post-Petition Liabilities**7. **Past Due Post-Petition Account Payables (over 30 days)**

Current Month	Prior Month	Cumulative (Case to Date)
\$537	\$0	\$25,949
\$46,951	\$0	\$0
\$1,500	\$0	\$25,949
\$0	\$0	\$25,949

**At the end of this reporting month:**

- 8. Have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee)
- 9. Have any payments been made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee)
- 10. If the answer is yes to 8 or 9, were all such payments approved by the court?
- 11. Have any payments been made to officers, insiders, shareholders, relatives? (if yes, attach listing including date of payment, amount and reason for payment, and name of payee)
- 12. Is the estate insured for replacement cost of assets and for general liability?
- 13. Are a plan and disclosure statement on file?
- 14. Was there any post-petition borrowing during this reporting period?
- 15. Check if paid: Post-petition taxes \_\_\_\_; U.S. Trustee Quarterly Fees \_\_\_\_; Check if filing is current for: Post-petition tax reporting and tax returns: \_\_\_\_.  
 (Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax reporting and tax return filings are not current.)

Yes	No
XX	XX

I declare under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry believe these documents are correct.

Date: 6/23/2009 0:00

/s/ Geraldine Kirk-Hughes  
 Responsible Individual

## STATEMENT OF OPERATIONS

### **(General Business Case)**

For the Month Ended 10/31/09

Attach an Explanation of Variance to Statement of Operations (For variances greater than +/- 10% only)

**BALANCE SHEET**  
**(General Business Case)**  
For the Month Ended 10/31/09

**Assets**

	<u>From Schedules</u>	<u>Market Value</u>
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**Current Assets**

		\$5,493
1	Cash and cash equivalents - unrestricted	\$0
2	Cash and cash equivalents - restricted	\$46,951
3	Accounts receivable (net)	\$0
4	Inventory	\$0
5	Prepaid expenses	\$0
6	Professional retainers	\$0
7	Other: _____	_____
8		_____
9	<b>Total Current Assets</b>	<b>\$52,444</b>

**Property and Equipment (Market Value)**

		\$9,988,346
10	Real property	\$0
11	Machinery and equipment	\$0
12	Furniture and fixtures	\$0
13	Office equipment	\$0
14	Leasehold improvements	\$0
15	Vehicles            2007 Power Boat	\$5,000
16	Other: _____	_____
17		_____
18		_____
19		_____
20		_____
21	<b>Total Property and Equipment</b>	<b>\$9,993,346</b>

**Other Assets**

		\$0
22	Loans to shareholders	\$0
23	Loans to affiliates	\$0
24	_____	_____
25	_____	_____
26	_____	_____
27	_____	_____
28	<b>Total Other Assets</b>	<b>\$0</b>
29	<b>Total Assets</b>	<b>\$10,045,790</b>

**NOTE:**

Indicate the method used to estimate the market value of assets (e.g., appraisals; familiarity with comparable market prices, etc.) and the date the value was determined.

**Liabilities and Equity**  
(General Business Case)

**Liabilities From Schedules**

**Post-Petition**

**Current Liabilities**

30	Salaries and wages	\$1,500
31	Payroll taxes	\$0
32	Real and personal property taxes	\$0
33	Income taxes	\$0
34	Sales taxes	\$0
35	Notes payable (short term)	\$0
36	Accounts payable (trade)	\$0
37	Real property lease arrearage	\$0
38	Personal property lease arrearage	\$0
39	Accrued professional fees	\$0
40	Current portion of long-term post-petition debt (due within 12 months)	\$0
41	Other: _____	\$0
42	_____	\$0
43	_____	\$0
44	<b>Total Current Liabilities</b>	<b>\$1,500</b>
45	<b>Long-Term Post-Petition Debt, Net of Current Portion</b>	<b>\$0</b>
46	<b>Total Post-Petition Liabilities</b>	<b>\$1,500</b>

**Pre-Petition Liabilities (allowed amount)**

47	Secured claims	F	\$5,590,000
48	Priority unsecured claims	F	\$0
49	General unsecured claims	F	\$1,450,098
50	<b>Total Pre-Petition Liabilities</b>		<b>\$7,040,098</b>
51	<b>Total Liabilities</b>		<b>\$7,041,598</b>

**Equity (Deficit)**

52	Retained Earnings/(Deficit) at time of filing	\$0
53	Capital Stock	\$0
54	Additional paid-in capital	\$0
55	Cumulative profit/(loss) since filing of case	\$0
56	Post-petition contributions/(distributions) or (draws)	\$0
57	_____	\$0
58	Market value adjustment	\$0
59	<b>Total Equity (Deficit)</b>	<b>\$0</b>
60	<b>Total Liabilities and Equity (Deficit)</b>	<b>\$7,041,598</b>

**SCHEDULES TO THE BALANCE SHEET**  
**(General Business Case)**

**Schedule A**  
**Accounts Receivable and (Net) Payable**

**Receivables and Payables Agings**

0 -30 Days  
 31-60 Days  
 61-90 Days  
 91+ Days  
 Total accounts receivable/payable  
 Allowance for doubtful accounts  
 Accounts receivable (net)

<u>Accounts Receivable</u> <u>[Pre and Post Petition]</u>	<u>Accounts Payable</u> <u>[Post Petition]</u>	<u>Past Due</u> <u>Post Petition Debt</u>
\$8,979		
\$5,019		
\$3,000		
\$29,953		
\$46,951	\$0	
	<u>\$46,951</u>	

**Schedule B**  
**Inventory/Cost of Goods Sold**

**Types and Amount of Inventory(ies)**

Retail/Restaurants -  
 Product for resale \_\_\_\_\_  
 Distribution -  
 Products for resale \_\_\_\_\_  
 Manufacturer -  
 Raw Materials \_\_\_\_\_  
 Work-in-progress \_\_\_\_\_  
 Finished goods \_\_\_\_\_  
 Other - Explain \_\_\_\_\_  
 \_\_\_\_\_  
**TOTAL** \_\_\_\_\_ **\$0**

**Cost of Goods Sold**

**Inventory Beginning of Month**

Add -  
 Net purchase \_\_\_\_\_  
 Direct labor \_\_\_\_\_  
 Manufacturing overhead \_\_\_\_\_  
 Freight in \_\_\_\_\_  
 Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Less -**

Inventory End of Month \_\_\_\_\_  
 Shrinkage \_\_\_\_\_  
 Personal Use \_\_\_\_\_

**Cost of Goods Sold**

\_\_\_\_\_ **\$0**

**Method of Inventory Control**

Do you have a functioning perpetual inventory system?

Yes \_\_\_\_\_ No \_\_\_\_\_

How often do you take a complete physical inventory?

Weekly \_\_\_\_\_  
 Monthly \_\_\_\_\_  
 Quarterly \_\_\_\_\_  
 Semi-annually \_\_\_\_\_  
 Annually \_\_\_\_\_

Date of last physical inventory was \_\_\_\_\_

Date of next physical inventory is \_\_\_\_\_

**Inventory Valuation Methods**

Indicate by a checkmark method of inventory used.

Valuation methods -

FIFO cost \_\_\_\_\_  
 LIFO cost \_\_\_\_\_  
 Lower of cost or market \_\_\_\_\_  
 Retail method \_\_\_\_\_  
 Other \_\_\_\_\_  
 Explain \_\_\_\_\_

**Schedule C**  
**Real Property**

Description	<u>Cost</u>	<u>Market Value</u>
Multi-Unit Storage Facility		\$1,346,360
10 Acres Rual Land with Single-Family Dwelling		\$741,986
18 Acres of Undeveloped Residential Tract Zoned Land		\$4,900,000
50 Acres of Undeveloped Lake-Front Land		\$3,000,000
Water rights of 3 cubic feet per second for the benefit of the above-referenced 578 acres of real property		
Total	<u>\$0</u>	<u>\$9,988,346</u>

**Schedule D**  
**Other Depreciable Assets**

Description	<u>Cost</u>	<u>Market Value</u>
Machinery & Equipment -		
Total	<u>\$0</u>	<u>\$0</u>
Furniture & Fixtures -		
Total	<u>\$0</u>	<u>\$0</u>
Office Equipment -		
Total	<u>\$0</u>	<u>\$0</u>
Leasehold Improvements -		
Total	<u>\$0</u>	<u>\$0</u>
Vehicles -		
Total	<u>\$0</u>	<u>\$0</u>

**Schedule E**  
**Aging of Post-Petition Taxes**  
**(As of End of the Current Reporting Period)**

<b>Taxes Payable</b>	<b>0-30 Days</b>	<b>31-60 Days</b>	<b>61-90 Days</b>	<b>91+ Days</b>	<b>Total</b>
<b>Federal</b>					
Income Tax Withholding					\$0
FICA - Employee					\$0
FICA - Employer					\$0
Unemployment (FUTA)					\$0
Income					\$0
Other (Attach List)					\$0
<b>Total Federal Taxes</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>State and Local</b>					
Income Tax Withholding					\$0
Unemployment (UT)					\$0
Disability Insurance (DI)					\$0
Empl. Training Tax (ETT)					\$0
Sales					\$0
Excise					\$0
Real property					\$0
Personal property					\$0
Income					\$0
Other (Attach List)					\$0
<b>Total State &amp; Local Taxes</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Taxes</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Schedule F**  
**Pre-Petition Liabilities**

**List Total Claims For Each Classification -**

	<b>Claimed Amount</b>	<b>Allowed Amount (b)</b>
Secured claims (a)	\$5,590,000	\$5,590,000
Priority claims other than taxes	\$0	
Priority tax claims	\$0	
General unsecured claims	\$1,450,098	\$20,000

(a) List total amount of claims even it under secured.  
 (b) Estimated amount of claim to be allowed after compromise or litigation. As an example, you are a defendant in a lawsuit alleging damage of \$10,000,000 and a proof of claim is filed in that amount. You believe that you can settle the case for a claim of \$3,000,000. For Schedule F reporting purposes you should list \$10,000,000 as the Claimed Amount and \$3,000,000 as the Allowed Amount.

**Schedule G**  
**Rental Income Information**  
**Not applicable to General Business Cases**

**Schedule H**  
**Recapitulation of Funds Held at End of Month**

	<b>Account 1</b>	<b>Account 2</b>	<b>Account 3</b>	<b>Account 4</b>
Bank	Bank of Nevada			
Account Type	Operating			
Account No.	7501123659			
Account Purpose	Operations			
Balance, End of Month	\$5,493			
Total Funds on Hand for all Accounts	<b>\$5,493</b>			

Attach copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating Report.

**STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS**

Increase/(Decrease) in Cash and Cash Equivalents

For the Month Ended 10/31/09

		Actual <u>Current Month</u>	Cumulative (Case to Date)
<b>Cash Receipts</b>			
1	Rent/Leases Collected	\$4,960	\$25,949
2	Cash Received from Sales	\$0	\$0
3	Interest Received	\$0	\$0
4	Borrowings	\$0	\$0
5	Funds from Shareholders, Partners, or Other Insiders	\$0	\$0
6	Capital Contributions	\$0	\$0
7			
8			
9			
10			
11			
12	<b>Total Cash Receipts</b>	<u>\$4,960</u>	<u>\$25,949</u>
<b>Cash Disbursements</b>			
13	Payments for Inventory		
14	Selling		
15	Administrative		
16	Capital Expenditures		
17	Principal Payments on Debt		
18	Interest Paid		
	Rent/Lease:		
19	Personal Property		
20	Real Property		
	Amount Paid to Owner(s)/Officer(s)		
21	Salaries		
22	Draws		
23	Commissions/Royalties		
24	Expense Reimbursements		
25	Other		
26	Salaries/Commissions (less employee withholding)		
27	Management Fees		
	Taxes:		
28	Employee Withholding		
29	Employer Payroll Taxes		
30	Real Property Taxes		
31	Other Taxes		
32	Other Cash Outflows:	<u>\$4,552</u>	
33			
34			
35			
36			
37			
38	<b>Total Cash Disbursements:</b>	<u>\$3,362</u>	<u>\$0</u>
39	<b>Net Increase (Decrease) in Cash</b>	<u>\$1,598</u>	<u>\$25,949</u>
40	<b>Cash Balance, Beginning of Period</b>	<u>\$3,704</u>	
41	<b>Cash Balance, End of Period</b>	<u><u>\$5,302</u></u>	<u><u>\$25,949</u></u>

**STATEMENT OF CASH FLOWS**  
 (Optional) Increase/(Decrease) in Cash and Cash Equivalents  
 For the Month Ended 10/09/09

		<u>Actual</u> <u>Current Month</u>	<u>Cumulative</u> <u>(Case to Date)</u>
<b>Cash Flows From Operating Activities</b>			
1	Cash Received from Sales	\$0	
2	Rent/Leases Collected	\$4,960	
3	Interest Received	\$0	
4	Cash Paid to Suppliers	\$0	
5	Cash Paid for Selling Expenses	\$0	
6	Cash Paid for Administrative Expenses	\$0	
	Cash Paid for Rents/Leases:		
7	Personal Property	\$0	
8	Real Property	\$0	
9	Cash Paid for Interest	\$0	
10	Cash Paid for Net Payroll and Benefits	\$0	
	Cash Paid to Owner(s)/Officer(s):		
11	Salaries	\$0	
12	Draws	\$0	
13	Commissions/Royalties	\$0	
14	Expense Reimbursements	\$0	
15	Other	\$0	
	Cash Paid for Taxes Paid/Deposited to Tax Acct.		
16	Employer Payroll Tax	\$0	
17	Employee Withholdings	\$0	
18	Real Property Taxes	\$0	
19	Other Taxes	\$0	
20	Cash Paid for General Expenses	\$4,552	
21			
22			
23			
24			
25			
26			
27	<b>Net Cash Provided (Used) by Operating Activities before Reorganization Items</b>	<b>\$408</b>	<b>\$0</b>
<b>Cash Flows From Reorganization Items</b>			
28	Interest Received on Cash Accumulated Due to Chp 11 Case	\$0	
29	Professional Fees Paid for Services in Connection with Chp 11 Case	\$0	
30	U.S. Trustee Quarterly Fees	\$0	
31			
32	<b>Net Cash Provided (Used) by Reorganization Items</b>	<b>\$0</b>	<b>\$0</b>
33	<b>Net Cash Provided (Used) for Operating Activities and Reorganization Items</b>	<b>\$408</b>	<b>\$0</b>
<b>Cash Flows From Investing Activities</b>			
34	Capital Expenditures	\$0	
35	Proceeds from Sales of Capital Goods due to Chp 11 Case	\$0	
36		\$0	
37	<b>Net Cash Provided (Used) by Investing Activities</b>	<b>\$0</b>	<b>\$0</b>
<b>Cash Flows From Financing Activities</b>			
38	Net Borrowings (Except Insiders)	\$0	
39	Net Borrowings from Shareholders, Partners, or Other Insiders	\$0	
40	Capital Contributions	\$0	
41	Principal Payments	\$0	
42		\$0	
43	<b>Net Cash Provided (Used) by Financing Activities</b>	<b>\$0</b>	<b>\$0</b>
44	<b>Net Increase (Decrease) in Cash and Cash Equivalents</b>	<b>\$408</b>	<b>\$0</b>
45	<b>Cash and Cash Equivalents at Beginning of Month</b>	<b>\$5,493</b>	
46	<b>Cash and Cash Equivalents at End of Month</b>	<b>\$5,901</b>	<b>\$0</b>